

# UNITED STATES DISTRICT COURT

for the  
Western District of Virginia

KYMBERLY HOBBS, Administrator, etc )  
v. ) Case No.: 1:23cv00003  
ANTHONY RAYMOND KELLY, et al. )

## BILL OF COSTS

Judgment having been entered in the above entitled action on 03/20/2025 *Date* against Plaintiff,  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ _____
Fees for service of summons and subpoena .....	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....	9,706.75
Fees and disbursements for printing .....	_____
Fees for witnesses ( <i>itemize on page two</i> ) .....	0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.....	_____
Docket fees under 28 U.S.C. § 1923 .....	_____
Costs as shown on Mandate of Court of Appeals .....	_____
Compensation of court-appointed experts .....	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. § 1828 .....	_____
Other costs ( <i>please itemize</i> ) .....	_____
TOTAL	\$ 9,706.75

*SPECIAL NOTE:* Attach to your bill an itemization and documentation for requested costs in all categories.

### Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

  


Electronic service

First class mail, postage prepaid

Other:

s/ Attorney:

D. Patricia Wallace

Name of Attorney: D. Patricia Wallace

For: Jeffery Artrip & Travis Poston

Date: 04/24/2025

*Name of Claiming Party*

### Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By:

*Clerk of Court*

*Deputy Clerk*

*Date*

**EXHIBIT 1**

**Witness Fees (computation, cf. 28 U.S.C. § 1821 for statutory fees)**

## NOTICE

**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

**“Sec. 1924. Verification of bill of costs.”**

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

**See also Section 1920 of Title 28, which reads in part as follows:**

### "A bill of co-

## The Federal Rules of Civil Procedure

**The Federal Rules of Civil Procedure contain the following provisions:**

**RULE 54(d)(1)**

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk

may tax

**RULE 6**  
(d) Additional Time After Certain Kinds of Service. When a party may or must act within a specified time after being served and service is made under Rule 5(b)(2)(C) (mail), (D) (leaving with the clerk), or (F) (other means consented to), 3 days are added after the period would otherwise

expire under

## **RULE 58(e)**

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective, and then the notice of appeal may be filed under Rule 4(a) (4) (A) (ii) of Rule 50.

Transcript Costs: Artrip & Poston

<u>Deponent</u>	<u>Invoice No.</u>	<u>Amount</u>
Artrip, Jeffery	249364	368.5
Christensen, Erik	250196	361.5
Goodman, Eli	249987	1079.5
Goodman, Eli	250255	396.25
Harrington, Brian et al.	248730	603
Hobbs, Kymberly	249425	869.5
Jackson, Joshua et al.	249522	401.5
Jones, Tammy	250028	371.25
Kelly, Anthony	249542	547.25
Meyer, Thomas	249057	531.5
Oliver, William	249965	888
Osborne, Samuel, et al.	249603	569.75
Plummer, Gregory	249412	451
Poston, Travis	249152	409.75
Shriki, Jesse	249858	355.75
Sochor, Mark	250262	358.5
Stiltner, Brian	250205	643.75
West, Jr., Ronald	249406	500.5
		<b>9706.75</b>

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1011 E. Main Street, Suite 100  
Richmond, VA 23219  
Phone: 804-708-0025

## INVOICE

Office of the Attorney General (Richmond)  
ATTN: D. Patricia Wallace, Esq.  
202 N. 9th Street  
Richmond, VA 23219

**Invoice Number:** 249364  
**Invoice Date:** 08/22/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Jeffrey Artrip  
Attendance Date: 07/31/2024, 10:00 a.m.  
Reporter: Lisa Lineberry

Qty	Description	Amount
134	<b>Videoconferenced Deposition of Jeffrey Artrip</b> pages of videoconferenced depo copy	368.50
		Invoice Total: 368.50

8/22/24 Transcript files sent via email

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**INVOICE DUE WITHIN 30 DAYS.**

**18.00% APR FINANCE CHARGES WILL BE APPLIED TO ALL INVOICES NOT PAID WITHIN TERMS.**

**Tax ID: 54-1370651**

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## INVOICE

Office of the Attorney General (Richmond)  
ATTN: D. Patricia Wallace, Esq.  
202 N. 9th Street  
Richmond, VA 23219

**Invoice Number:** 250196  
**Invoice Date:** 10/09/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Erik D. Christensen, M.D.  
Attendance Date: 09/25/2024, 11:00 a.m.  
Reporter: Gwenda Applegate

Qty	Description	Amount
<b>Videoconferenced Deposition of Erik D. Christensen, M.D.</b>		
130	pages of medical/videoconferenced depo copy	357.50
8	pages of digitally marked exhibits	4.00
Invoice Total:		361.50

10/9/24 Transcript files sent via email

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## INVOICE

Frith Anderson & Peake, PC (Roanoke Office)  
ATTN: Nathan H. Schnetzler, Esq.  
29 Franklin Road SW  
Roanoke, VA 24011

**Invoice Number:** 249987  
**Invoice Date:** 09/25/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Eli N. Goodman, M.D.  
Attendance Date: 09/11/2024, 2:00 p.m.  
Reporter: Gwenda Applegate

Qty	Description	Amount
<b>Deposition Attendance</b>		
1	deposition attendance, 3 to 4 hours	235.00
<b>Videoconferenced Deposition of Eli N. Goodman, M.D.</b>		
114	pages of medical/videoconferenced depo original and copy	541.50
6	pages of digitally marked exhibits	3.00
<b>VIDEOCONFERENCE INVOICE</b>		
4	hours of virtual videoconference (2 hour minimum)	300.00
		<b>Invoice Total:</b> 1079.50

9/25/24 Transcript files sent via email

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INVOICE DUE WITHIN 30 DAYS.

18.00% APR FINANCE CHARGES WILL BE APPLIED TO ALL INVOICES NOT PAID WITHIN TERMS.

Tax ID: 54-1370651

File No. 629.0489      Claim #  
Case Name: Hobbs v. Kelly, et al  
Payable to: Halasz Reporting & Video  
Amt: \$1079.50 Date: 10/02/24  
Expense Desc: Court Reporting

Case Name: Hobbs v., Kelly, et al.

Payable to: Halasz Reproting

Amt: \$396.25 Date: 10/22/24

Expense Desc: Court Reporting

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**INVOICE**

Frith Anderson & Peake, PC (Roanoke Office)  
ATTN: Nathan H. Schnetzler, Esq.  
29 Franklin Road SW  
Roanoke, VA 24011

Invoice Number: 250255  
Invoice Date: 10/14/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Eli N. Goodman, M.D., Volume II  
Attendance Date: 10/01/2024, 3:00 p.m.  
Reporter: Kathy Adams, VC Tech: Joe Hudson

Qty	Description	Amount
<b>Deposition Attendance</b>		
1	deposition attendance, 2 hours or less	175.00
<b>Videoconferenced Deposition of Eli N. Goodman, M.D., Volume II</b>		
15	pages of medical/videoconferenced depo original and copy	71.25
<b>VIDEOCONFERENCE INVOICE</b>		
1	first two hours of virtual videoconference (minimum)	150.00
		Invoice Total: 396.25

10/14/24 Transcript files sent via email

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INVOICE DUE WITHIN 30 DAYS.

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Tax ID: 54-1370651

Please Note: If you wish to pay by credit card a 4% FEE will apply. No credit is extended to attorney's clients or other third parties. In accepting performance of our services, attorney acknowledges and agrees to pay all costs of collection, including attorney's fees and court costs.

6 29. 04/09

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## INVOICE

Frith Anderson & Peake, PC (Roanoke Office)  
ATTN: Nathan H. Schnetzler, Esq.  
29 Franklin Road SW  
Roanoke, VA 24011

Invoice Number: 248730  
Invoice Date: 07/11/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced and Videotaped Depositions of Brian Harrington and Mack Tolbert  
Attendance Date: 06/21/2024, 9:30 a.m.  
Reporter: Darlene Owings, Video: Joe Hudson

Qty	Description	Amount
<b>Videoconferenced and Videotaped Depositions of Brian Harrington and Mack Tolbert</b>		
216	pages of videoconferenced depo copy	594.00
18	pages of digitally marked exhibits	9.00
Invoice Total:		603.00

7/11/24 Transcript files sent via email

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File No. 629.0489 Claim #  
Case Name: Hobbs v. Kelly, et al  
Payable to: Halasz Reporting & Video  
Amt: \$603.00 Date: 10/02/24  
Expense Desc: Court Reporting

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249425  
**Invoice Date:** 08/27/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced Deposition of Kymberly Hobbs  
 Attendance Date: 08/14/2024, 1:00 p.m.  
 Reporter: Kathy Adams, VC Tech: Joe Hudson

Qty	Description	Amount
<b>Deposition Attendance</b>		
1	deposition attendance, 2 to 3 hours	205.00
<b>Videoconferenced Deposition of Kymberly Hobbs</b>		
92	pages of videoconferenced depo original and copy	437.00
5	pages of digitally marked exhibits	2.50
<b>VIDEOCONFERENCE INVOICE</b>		
3	hours of virtual videoconference (2 hour minimum)	225.00
		<b>Invoice Total:</b>
		869.50

8/27/24 Transcript files sent via email

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 VIRTUAL DEPOSITIONS, HEARINGS, ETC., VIA ZOOM, WEBEX AND OTHER PLATFORMS**

INVOICE DUE WITHIN 30 DAYS.

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## INVOICE

Office of the Attorney General (Richmond)  
ATTN: D. Patricia Wallace, Esq.  
202 N. 9th Street  
Richmond, VA 23219

**Invoice Number:** 249522  
**Invoice Date:** 08/30/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.

Case Number: 1:23-cv-0003

Witness(s): Videoconferenced Depositions of Joshua C. Jackson, William Z. Montgomery, and George Berry, Jr.

Attendance Date: 08/21/2024, 9:00 a.m.

Reporter: Juanita Schar

Qty	Description	Amount
<b>Videoconferenced Depositions of Joshua C. Jackson and William Z. Montgomery</b>		
146	pages of videoconferenced depo copy	401.50
Invoice Total:		401.50

9/3/24 Transcript files sent via email

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Tax ID: 54-1370651

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## INVOICE

Office of the Attorney General (Richmond)  
ATTN: D. Patricia Wallace, Esq.  
202 N. 9th Street  
Richmond, VA 23219

**Invoice Number:** 250028  
**Invoice Date:** 09/30/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Tammy R. Jones  
Attendance Date: 09/17/2024, 1:00 p.m.  
Reporter: Kathy Adams, VC Tech: Marc Langelier

Qty	Description	Amount
<b>Videoconferenced Deposition of Tammy R. Jones</b>		
135	pages of videoconferenced depo copy	371.25
Invoice Total:		371.25

9/30/24 Transcript files sent via email

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## INVOICE

Office of the Attorney General (Richmond)  
ATTN: D. Patricia Wallace, Esq.  
202 N. 9th Street  
Richmond, VA 23219

**Invoice Number:** 249542  
**Invoice Date:** 09/02/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced and Videotaped Deposition of Anthony Raymond Kelly  
Attendance Date: 08/15/2024, 9:30 a.m.  
Reporter: Kimberly L. Ribaric, Video: Jake Nurney

Qty	Description	Amount
<b>Videoconferenced and Videotaped Deposition of Anthony Raymond Kelly</b>		
199	pages of videotaped/videoconferenced depo copy	547.25
Invoice Total:		547.25

9/3/24 Transcript files sent via email

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## INVOICE

Frith Anderson & Peake, PC (Roanoke Office)  
ATTN: Nathan H. Schnetzler, Esq.  
29 Franklin Road SW  
Roanoke, VA 24011

**Invoice Number:** 249057  
**Invoice Date:** 08/01/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Virginia Department of Corrections through Thomas F. Meyer, Jr.  
Attendance Date: 07/23/2024, 9:30 a.m.  
Reporter: Kathy Adams

Qty	Description	Amount
<b>Videoconferenced Deposition of Virginia Department of Corrections through Thomas F. Meyer, Jr.</b>		
18	pages of digitally marked exhibits	9.00
190	pages of videoconferenced depo copy	522.50
		<b>Invoice Total:</b> 531.50
		<b>Payments:</b> 531.50
		<b>Total Amount Due:</b> 0.00

Payment Information

09/09/2024 - Check: \$531.50 : 71739

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249965  
**Invoice Date:** 09/24/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced Deposition of William R. Oliver, M.D.  
 Attendance Date: 09/10/2024, 10:00 a.m.  
 Reporter: Gwenda Applegate

Qty	Description	Amount
<b>Deposition Attendance</b>		
1	deposition attendance, 2 to 3 hours	205.00
<b>Videoconferenced Deposition of William R. Oliver, M.D.</b>		
96	pages of medical/videoconferenced depo original and copy	456.00
4	pages of digitally marked exhibits	2.00
<b>VIDEOCONFERENCE INVOICE</b>		
3	hours of virtual videoconference (2 hour minimum)	225.00
		Invoice Total: 888.00

9/24/24 Transcript files sent via email

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249603  
**Invoice Date:** 09/04/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced Deposition of Craig A. O'Der, Jr. and Videoconferenced and Videotaped Deposition of Samuel Dale Osborne  
 Attendance Date: 08/29/2024, 9:30 a.m.  
 Reporter: Juanita Schar, Video: Jake Nurney

Qty	Description	Amount
<b>Videoconferenced Deposition of Craig A. O`Der, Jr. and Videoconferenced and Videotaped Deposition of Samuel Dale Osborne</b>		
205	pages of videotaped/videoconferenced depo copy	563.75
12	pages of digitally marked exhibits	6.00
Invoice Total:		569.75

9/4/24 Transcript files sent via email

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249412  
**Invoice Date:** 08/27/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced Deposition of Gregory Scott Plummer  
 Attendance Date: 08/16/2024, 9:30 a.m.  
 Reporter: Gwenda Applegate

Qty	Description	Amount
	<b>Videoconferenced Deposition of Gregory Scott Plummer</b>	
164	pages of videoconferenced depo copy	451.00
		<b>Invoice Total:</b> 451.00

8/28/24 Transcript files sent via email

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249152  
**Invoice Date:** 08/09/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced Deposition of Travis Poston  
 Attendance Date: 07/30/2024, 10:00 a.m.  
 Reporter: Jackie Bennett

Qty	Description	Amount
<b>Videoconferenced Deposition of Travis Poston</b>		
149	pages of videoconferenced depo copy	409.75
Invoice Total:		409.75

8/9/24 Transcript files sent via email

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249858  
**Invoice Date:** 09/17/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.

Case Number: 1:23-cv-0003

Witness(s): Videoconferenced Deposition of Jesse Shriki, DO, MS, FACEP

Attendance Date: 09/04/2024, 11:00 a.m.

Reporter: Kathy Adams, VC Tech: Joe Hudson

Qty	Description	Amount
<b>Videoconferenced Deposition of Jesse Shriki, DO, MS, FACEP</b>		
129	pages of medical/videoconferenced depo copy	354.75
2	pages of digitally marked exhibits	1.00
		<b>Invoice Total:</b> 355.75

9/17/24 Transcript files sent via email

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**HALASZ**  
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File No. 629.0489 Claim #  
Case Name: Hobbs v., Kelly, et al.  
Payable to: Halasz Reproting  
Amt: \$358.50 Date: 10/22/24  
Expense Desc: Court Reporting

1011 E. Main Street, Suite 100  
Richmond, VA 23219  
Phone: 804-708-0025

## INVOICE

Frith Anderson & Peake, PC (Roanoke Office)  
ATTN: Nathan H. Schnetzler, Esq.  
29 Franklin Road SW  
Roanoke, VA 24011

Invoice Number: 250262  
Invoice Date: 10/14/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
Case Number: 1:23-cv-0003  
Witness(s): Videoconferenced Deposition of Mark Robert Sochor, M.D.  
Attendance Date: 10/01/2024, 10:00 a.m.  
Reporter: Kathy Adams, VC Tech: Joe Hudson

Qty	Description	Amount
<b>Videoconferenced Deposition of Mark Robert Sochor, M.D.</b>		
130	pages of medical/videoconferenced depo copy	357.50
2	pages of digitally marked exhibits	1.00
Invoice Total:		358.50

10/14/24 Transcript files sent via email

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429.00/89

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 250205  
**Invoice Date:** 10/10/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced Deposition of Brian Stiltner, D.O.  
 Attendance Date: 09/25/2024, 3:00 p.m.  
 Reporter: Gwenda Applegate

Qty	Description	Amount
<b>Deposition Attendance</b>		
1	deposition attendance, 2 hours or less	175.00
<b>Videoconferenced Deposition of Brian Stiltner, D.O.</b>		
67	pages of medical/videoconferenced depo original and copy	318.25
1	page of digitally marked exhibit	0.50
<b>VIDEOCONFERENCE INVOICE</b>		
1	first two hours of virtual videoconference (minimum)	150.00
		<b>Invoice Total:</b>
		643.75

10/10/24 Transcript files sent via email

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## INVOICE

Office of the Attorney General (Richmond)  
 ATTN: D. Patricia Wallace, Esq.  
 202 N. 9th Street  
 Richmond, VA 23219

**Invoice Number:** 249406  
**Invoice Date:** 08/26/2024

In Re: Kymberly Hobbs, Administrator of the Estate of Charles James Givens, Deceased v. Anthony Raymond Kelly, et al.  
 Case Number: 1:23-cv-0003  
 Witness(s): Videoconferenced and Videotaped Deposition of Ronald West, Jr., Volume I  
 Attendance Date: 08/13/2024, 1:00 p.m.  
 Reporter: Jackie Bennett , Video: Jake Nurney

Qty	Description	Amount
<b>Videoconferenced and Videotaped Deposition of Ronald West, Jr., Volume I</b>		
182	pages of videotaped/videoconferenced depo copy	500.50
Invoice Total:		500.50

8/26/24 Transcript files sent via email

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